

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY

STEPHEN SZABO,

Plaintiff,

v.

ADESA AUCTIONS, et al.,

Defendants.

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CIVIL ACTION NO. 04-6355 (MLC)

**MEMORANDUM OPINION**

**THE PLAINTIFF MOVING** to remand the action to state court (dkt. entry no. 4); and the Court now being advised "that the above referenced matter has been settled" and that "[a] stipulation of Dismissal will be forthcoming" (7-6-05 Mashel Letter, at 1); and thus the Court intending to (1) deny the motion without prejudice as moot, and (2) dismiss the complaint without prejudice to reopen if the settlement is not consummated; and the parties being advised that – in order to protect their interests – they may still submit a stipulation of dismissal in this action, even though the action will be marked as terminated by the Clerk of the Court; and good cause appearing, the Court will issue an appropriate order.

s/ Mary L. Cooper

**MARY L. COOPER**

United States District Judge